

## **EXHIBIT V**

CRIMINAL COURT OF THE CITY OF NEW YORK  
COUNTY OF THE BRONX

2001BX024949

THE PEOPLE OF THE STATE OF NEW YORK

v.

ANTHONY MANGANIELLO M/38

Defendant

STATE OF NEW YORK  
COUNTY OF THE BRONX

DET. LOUIS AGOSTINI of 43, Shield 1230 says that on or about February 12, 2001 at approximately 10:26 A.M. at 1700 METROPOLITAN AVENUE,, County of the Bronx, State of New York,

THE DEFENDANT COMMITTED THE OFFENSES OF:

- |                      |  |
|----------------------|--|
| 1 (F) P.L. 125.25(1) | Murder 2°  |
| 2 (F) P.L. 125.25(2) | Murder 2°  |
| 3 (F) P.L. 125.20(1) | Manslaughter 1°                                      |
| 4 (F) P.L. 265.03(2) | Criminal Possession of a Weapon in the Second Degree |

IN THAT THE DEFENDANT DID: cause the death of a person, while acting with intent to cause the death of that or another person; recklessly engage in conduct which created a grave risk of death to another person and thereby caused the death of a person, while acting under circumstances evincing a depraved indifference to human life; cause the death of a person, while acting with intent to cause serious physical injury to that or another person and with intent to use the same unlawfully against another did possess a loaded firearm.

THE GROUNDS FOR THE DEPONENT'S BELIEF ARE AS FOLLOWS:

Deponent states, based upon official investigation, defendant's statements, and witnesses known to the Police Department, that, at the above time and place, THE DEFENDANT DID CAUSE THE DEATH OF ALBERT ACOSTA BY SHOOTING HIM WITH A LOADED FIREARM.

FALSE STATEMENTS MADE HEREIN ARE PUNISHABLE  
AS A CLASS A MISDEMEANOR PURSUANT TO P.L. 210.45

4/20/01  
DATE

*[Signature]*  
SIGNATURE

